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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,727	04/06/2006	David Kren	356952.00043-US	1901
78905                      7590                      12/04/2009 Saul Ewing LLP (Philadelphia) Attn: Patent Docket Clerk 2 North Second St. Harrisburg, PA 17101				
EXAMINER				
RUTLEDGE, AMELIA L.				
ART UNIT		PAPER NUMBER		
2176				
MAIL DATE		DELIVERY MODE		
12/04/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/574,727

**Applicant(s)**

KREN, DAVID

**Examiner**

AMELIA RUTLEDGE

**Art Unit**

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the following communications: Amendment, filed 08/27/2009.
2. Claims 1-15 are pending. claims 1, 8, and 9 are independent claims.
3. Applicant's arguments (see Remarks, p. 6), overcome the previous objection to independent claims 8 and 9 under 37 CFR 1.75, therefore the claim objection is withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Girardot, et al., "Millau: an encoding format for efficient representation and exchange of XML over the web", ("Millau"), Elsevier Science Publishers, June 2000, p. 1-21, as cited in IDS filed 04/06/2006.**

**Regarding independent claim 1, Millau teaches a computing device programmed with a client that can operate with a parser or generator for both text and binary mark up languages; because Millau teaches a binary SAX parser (p. 7, Sect.**

4.2), and a DOM parser for an XML stream (p. 8, Sect. 4.3). Millau teaches a computing device programmed with a client to operate the parsers (p. 16-17, Fig. 2).

Millau teaches *in which the client uses a unique integer value that can be interpreted in an index of elements, attributes and attribute values needed to describe a particular type of mark-up document*, because Milau teaches defining integer tokens for the tag code space, i.e., elements, the attribute names code space and the attribute value code space (p. 5-7; Table 2).

Millau teaches *the index mapping that unique integer value (a) to a token associated with a predefined element, attribute or attribute value to enable a token based mark up language to be handled*; because Milau teaches defining integer tokens for the tag code space, i.e., elements, the attribute names code space and the attribute value code space (p. 5-7; Table 2).

Millau teaches *and also (b) to a string associated with a predefined element, attribute or attribute value to enable a string based mark up language to be handled*; because Milau teaches mapping the token values to an associated string (p. 5-7; Table 2).

**Regarding dependent claim 2**, Millau teaches the device of Claim 1 in which the text mark up language is XML and the binary mark up language is WBXML, at p. 3.

**Regarding dependent claim 3**, Millau teaches the device of Claim 1 in which a table of mappings of each of the tokens to each of the strings is created and each mapping is given one of the unique integer values (p. 7-8).

**Regarding dependent claim 4**, Millau teaches the device of Claim 3 in which two lists of unique integer values are created: one indexed on tokens and the other indexed on the index of the position of a string in a string pool table, because Millau teaches a hash table, i.e. a string pool table (p. 9-10, Sect. 4.6).

**Regarding dependent claim 5**, Millau teaches the device of Claim 1 in which there is an extensible framework that accepts one or more mark-up language parsers and/or generators, each implemented as plug-ins to the framework, with different plug-ins enabling different kinds of mark up languages to be handled by the device, because Millau discloses a client server application using parsers implemented as plug-ins enabling different kinds of markup languages (p. 16-17, Sect. 6.1).

**Regarding dependent claim 6**, Millau teaches in which there is a namespace plug-in to the extensible framework that sets-up art the elements, attributes and attribute values for a namespace, because Millau teaches defining integer tokens for the tag code space, i.e., elements, the attribute names code space and the attribute value code space (p. 5-7; Table 2).

**Regarding dependent claim 7**, Millau teaches the device of Claim 6 in which the index is encapsulated in the namespace plug-in and therefore is insulated from the client, parser and generator, because Millau teaches converting markup languages using an existing plugin, and then using the Millau plug in which is encapsulated (p. 16-17, Sect. 6.1).

**Regarding independent claim 8 and dependent claims 10-15**, claims 8-15 are directed to the method of parsing a markup language document to be implemented by the device as claimed in claims 1-7, and is rejected along a similar rationale.

**Regarding independent claim 9**, claim 9 is substantially similar to claim 8, and is rejected along the same rationale, since Millau discloses methods of both parsing and generating markup language documents (see p. 17-18 for example).

### ***Response to Arguments***

Applicant's arguments filed 08/27/2009 have been fully considered but they are not persuasive.

In the Remarks, applicant presents only one argument regarding the rejections of claims 1-15 under 35 USC 102(b) as anticipated by Millau; the argument is that in regard to independent claim 1, Millau *"...discloses only a parser for a binary mark-up language. There is no teaching or suggestion of a parser that is for both binary and text based mark-up languages. Indeed, Girardot et al. [Millau] does not teach or suggest a parser for text based markup-languages at all."* (bracketed reference added; Remarks, p. 8, par. 3; also see Remarks, p. 7-8). However, applicant's arguments are an incorrect characterization of Millau, because Millau discloses that at least four parsers are provided, which include two SAX parsers, the first SAX parser producing traditional SAX events, and the second SAX parser being a Binary SAX parser, and two DOM based parsers, the first one creating a conventional DOM tree and the second one

creating a Binary DOM tree (p. 6, par. 1-2). Therefore Millau discloses two text parsers and two binary parsers.

The description of the Millau parsers disclosed in p. 6-9 describes the four parsers in more detail. Millau also explicitly discloses compressing text or multimedia data at p. 19, par. 5, sect. 7. Further, throughout the Millau reference, it is clearly disclosed that some of the original documents run through the parsers are XML documents (p. 12, sect. 5.2, par. 1-2), which applicant has defined as a text based markup language (Remarks, p. 7, par. 3). Millau also teaches parsing a *Millau* stream (p. 12, sect. 5.2, par. 1-2), which applicant has defined as a binary markup language (Remarks, p. 7, par. 3).

For these reasons, it is believed that Millau does disclose each and every feature of independent claim 1, including the limitation "...a client that can operate with a parser or generator for both text and binary mark up languages...". Applicant presents similar arguments in regard to independent claims 8 and 9, and all claims depending therefrom (Remarks, p. 8), and for similar reasons, it is believed that the rejections of claims 1-15 as being anticipated by Millau should be maintained.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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/Amelia Rutledge/  
Primary Examiner, Art Unit 2176